



General Assembly

Amendment

February Session, 2008

LCO No. 6523

SB0040206523SD0

Offered by:

SEN. GAFFEY, 13th Dist.

REP. FLEISCHMANN, 18th Dist.

SEN. DAILY, 33rd Dist.

REP. STAPLES, 96th Dist.

To: Subst. Senate Bill No. **402**

File No. 613

Cal. No. 410

***"AN ACT CONCERNING AUTHORIZATION OF STATE GRANT
COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND
CONCERNING CHANGES TO THE STATUTES CONCERNING
SCHOOL BUILDING PROJECTS."***

1 In line 21, strike "Project That Has" and insert "Projects That Have"
2 in lieu thereof

3 In line 22, strike "is" and insert "are" in lieu thereof

4 After line T232, insert the following:

T233 "NEW HAVEN

T234 Worthington Hooker School

T235 093-0342 PF/EA

T236

T237 Estimated...

T238 Total Project Costs

\$ 20,400,000

\$ 35,500,000

T239 Total Grant

16,246,560

28,272,200"

5 Strike lines T242 and T243 in their entirety and insert the following
6 in lieu thereof:

T242	"Total Project Costs	54,659,389	62,900,000
T243	Total Grant	54,659,389	62,900,000"

7 Strike lines T250 and T251 in their entirety and insert the following
8 in lieu thereof:

T250	"Total Project Costs	72,357,577	85,300,000
T251	Total Grant	72,357,577	85,300,000"

9 Strike section 4 in its entirety and renumber the remaining sections
10 accordingly

11 After the last section, add the following and renumber sections and
12 internal references accordingly:

13 "Sec. 501. (*Effective from passage*) (a) Notwithstanding the provisions
14 of section 10-292 of the general statutes or any regulation adopted by
15 the State Board of Education requiring that a bid not be let out until
16 plans and specifications have been approved by the Department of
17 Education's school facilities unit, the town of Newtown may let out for
18 bid on and commence a project to purchase and alter a building for
19 Board of Education space (Project Number 097-0111) and shall be
20 eligible to subsequently be considered for a grant commitment from
21 the state, provided plans and specifications have been approved by the
22 Department of Education's school facilities unit.

23 (b) Notwithstanding the provisions of section 10-285 of the general
24 statutes or any regulation adopted by the State Board of Education
25 requiring a town to attend a meeting with the Department of
26 Education staff prior to executing a design-build contract, the town of
27 Newtown may proceed with the contract for renovation of a certain

28 building located at the former Fairfield Hills Hospital site for the
29 purpose of providing space for the town board of education's central
30 administration offices (Project Number 097-0111) and shall be eligible
31 for a grant commitment from the state.

32 Sec. 502. (*Effective from passage*) Notwithstanding the provisions of
33 section 10-292 of the general statutes or any regulation adopted by the
34 State Board of Education requiring that a bid not be let out until plans
35 and specifications have been approved by the Department of
36 Education's school facilities unit, the town of Waterbury may let out
37 for bid on and commence a project for code violation (Project Number
38 151-0243 RNV/CV) and shall be eligible to subsequently be considered
39 for a grant commitment from the state, provided plans and
40 specifications have been approved by the Department of Education's
41 school facilities unit.

42 Sec. 503. (*Effective from passage*) Notwithstanding the provisions of
43 section 10-292 of the general statutes or any regulation adopted by the
44 State Board of Education requiring that a bid not be let out until plans
45 and specifications have been approved by the Department of
46 Education's school facilities unit, the town of Stamford may let out for
47 bid on and commence a project (Project Number 135-0263 A) at
48 Cloonan Middle School and shall be eligible to subsequently be
49 considered for a grant commitment for eligible costs from the state,
50 provided plans and specifications have been approved by the
51 Department of Education's school facilities unit.

52 Sec. 504. (*Effective from passage*) Notwithstanding the provisions of
53 section 10-292 of the general statutes or any regulation adopted by the
54 State Board of Education requiring that a bid not be let out until plans
55 and specifications have been approved by the Department of
56 Education's school facilities unit, the town of Newington may let out
57 for bid on and commence a project for expansion, alterations and
58 correction of code violations (Project Number TEMP 094-JJHV) at
59 Newington High School and shall be eligible to subsequently be
60 considered for a grant commitment from the state, provided plans and

61 specifications have been approved by the Department of Education's
62 school facilities unit.

63 Sec. 505. (*Effective July 1, 2008*) (a) Notwithstanding the provisions of
64 section 10-283 of the 2008 supplement to the general statutes, or any
65 regulation adopted pursuant to said section 10-283, requiring that
66 funding authorization for the local share of the project costs be secured
67 prior to application, that no school building project shall be added to
68 the list in subdivision (1) of section 1 of this act and concerning eligible
69 costs, the zero carbon footprint demonstration project, including
70 installation of a solar array on the roof, improved heating and
71 ventilation system controls, lighting controls for daytime dimming and
72 window treatments to retain heat in winter and reduce heat gain in
73 summer at Wolcott Elementary School in West Hartford, which shall
74 be considered eligible costs, is included in said subdivision (1) of this
75 act and shall be eligible to be subsequently considered for a grant
76 commitment from the state for costs not to exceed seven hundred fifty
77 thousand dollars, provided the school district files an application for a
78 school building project prior to June 30, 2009, and meets all other
79 provisions of chapter 173 of the general statutes or any regulation
80 adopted by the State Board of Education.

81 (b) Notwithstanding any provision of chapter 173 of the general
82 statutes or any regulation adopted pursuant to said chapter, the town
83 of West Hartford may use any private, federal or state grants, other
84 than grants received pursuant to said chapter, to finance the project
85 described in subsection (a) of this section and such funds shall be
86 considered to be part or all of the town's local share for such project.

87 Sec. 506. (*Effective from passage*) Notwithstanding the provisions of
88 subdivision (1) of subsection (a) of section 10-286 of the general
89 statutes or any regulation adopted by the State Board of Education
90 concerning projected enrollment for a school building project for
91 purposes of calculating eligible costs for a school building project
92 grant, the town of Scotland may use three hundred forty-three as its
93 projected enrollment figures for the expansion and alteration project

94 (Project Number 123-0008 EA) at Scotland Elementary School.

95 Sec. 507. (*Effective from passage*) Notwithstanding the provisions of
96 section 10-283 of the 2008 supplement to the general statutes, or any
97 regulation adopted pursuant to said section 10-283, requiring that
98 funding authorization for the local share of the project costs be secured
99 prior to application and that no school building project shall be added
100 to the list in subdivision (1) of section 1 of this act, the project for
101 alterations (Project Number TMP-015-FVRD) at Wilbur Cross School in
102 Bridgeport is included in said subdivision (1) of this act and shall be
103 eligible to be subsequently considered for a grant commitment from
104 the state, provided the school district files an application for a school
105 building project prior to June 30, 2008, and meets all other provisions
106 of chapter 173 of the general statutes or any regulation adopted by the
107 State Board of Education.

108 Sec. 508. (*Effective from passage*) Notwithstanding the provisions of
109 section 10-283 of the 2008 supplement to the general statutes, or any
110 regulation adopted pursuant to said section 10-283, requiring that
111 funding authorization for the local share of the project costs be secured
112 prior to application and that no school building project shall be added
113 to the list in subdivision (1) of section 1 of this act, the project for an
114 addition and renovation as new (Project Number 104-0112) at Kelly
115 Middle School in Norwich is included in said subdivision (1) of this act
116 and shall be eligible to be subsequently considered for a grant
117 commitment from the state, provided the school district files an
118 application for a school building project prior to June 30, 2008, and
119 meets all other provisions of chapter 173 of the general statutes or any
120 regulation adopted by the State Board of Education.

121 Sec. 509. Subsection (b) of section 30 of public act 07-249, as
122 amended by section 23 of public act 07-3 of the June special session, is
123 repealed and the following is substituted in lieu thereof (*Effective from*
124 *passage*):

125 (b) (1) The Commissioner of Education may designate as many as

126 two schools under the jurisdiction of such district as interdistrict
127 magnet schools for the purposes of section 10-264h of the general
128 statutes, provided the district submits a plan to the commissioner
129 detailing how the district will meet the enrollment requirements
130 provided for in subdivision (2) of this subsection and the
131 commissioner deems such plan reasonable. The total grant amount for
132 projects for both schools shall not be more than ten million dollars
133 more than the grant amount such district would have otherwise
134 received for such projects pursuant to the provisions of section 10-286
135 of the general statutes. No school in such district shall be eligible to
136 receive a grant pursuant to subsection (c) of section 10-264l of the
137 general statutes, unless such school operates as an "interdistrict
138 magnet school program", as defined in subsection (a) of said section
139 10-264l, and meets the enrollment requirements pursuant to said
140 subsection (a).

141 (2) Not later than three years after the reopening of the schools of
142 the interdistrict magnet school district following school construction
143 projects for such schools, reimbursed at the rate provided for in section
144 10-264h of the general statutes, the local or regional board of education
145 of such district shall, in accordance with the provisions of section 11-4a
146 of the general statutes, report to the joint standing committee of the
147 General Assembly having cognizance of matters relating to education
148 on the progress of such district in enrolling students from other school
149 districts. If such district does not, on or before June 30, 2012, enroll
150 students from other districts at a rate that is at least fifteen per cent of
151 its total district-wide enrollment, such district shall be liable to the
152 state for repayment of the amount representing the difference between
153 the school building project grant received pursuant to this section and
154 section 10-264h of the general statutes, and the grant such district
155 would have otherwise received for such projects pursuant to the
156 provisions of section 10-286 of the general statutes. For purposes of this
157 subdivision, students enrolled in the Regional Multicultural Magnet
158 School operated by LEARN shall be deemed enrolled in the interdistrict
159 magnet school district.

160 Sec. 510. (*Effective from passage*) Notwithstanding any provision of
161 chapter 173 of the general statutes or any regulation adopted by the
162 State Board of Education to said chapter 173, provided the board of
163 education for Hartford enters into an agreement to send students to
164 the East Hartford/Glastonbury Magnet School with the operators of
165 such school, (1) the grant for the East Hartford/Glastonbury Magnet
166 School (Project Number 043-0228 MAG/N) previously awarded to
167 East Hartford is hereby awarded to Glastonbury and the subject school
168 shall be located in Glastonbury; (2) one hundred per cent of the total
169 estimated project costs up to \$29,724,250 shall be eligible for
170 reimbursement and ninety-five per cent of the eligible costs over
171 \$29,724,250, but not in excess of \$7,000,000, shall be eligible for
172 reimbursement; (3) the Commissioner of Education may disapprove
173 the project if construction has not commenced within two years of the
174 effective date of this section; (4) any existing plans and specifications
175 for the project may be used in whole or in part for the project, and the
176 funds previously expended for such plans shall be deemed to be
177 eligible for reimbursement, notwithstanding whether such plans are so
178 used or whether the project is completed; and (5) the town of East
179 Hartford shall not be required to return a portion of the grant in an
180 amount not to exceed two million nine hundred thousand dollars
181 which it has previously expended with respect to the project, if such
182 expenses were for parts of the project which were not site specific and
183 resulted in plans that are transferable to the new site in Glastonbury,
184 and no further claims for reimbursement for plans are made for the
185 Glastonbury site.

186 Sec. 511. (*Effective July 1, 2008*) Notwithstanding the provisions of
187 section 10-283 of the 2008 supplement to the general statutes, or any
188 regulation adopted pursuant to said section 10-283, requiring that
189 funding authorization for the local share of the project costs be secured
190 prior to application, that no school building project shall be added to
191 the list in subdivision (1) of section 1 of this act, and concerning
192 eligible costs, a project for plans for renovations of a model children's
193 campus project at Charter Oak Elementary School in West Hartford,

194 including an interdistrict magnet preschool pursuant to the 2008
195 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
196 which shall be considered an eligible cost, is included in said
197 subdivision (1) of this act and shall be eligible to be subsequently
198 considered for a grant commitment from the state for costs not to
199 exceed seven hundred thousand dollars, provided the school district
200 files an application for a school building project prior to June 30, 2009,
201 and meets all other provisions of chapter 173 of the general statutes or
202 any regulation adopted by the State Board of Education.

203 Sec. 512. (*Effective from passage*) Notwithstanding the provisions of
204 section 10-292 of the general statutes or any regulation adopted by the
205 State Board of Education requiring that a bid not be let out until plans
206 and specifications have been approved by the Department of
207 Education's school facilities unit, the town of Madison may let out for
208 bid on and commence a project for roof replacement (Project Number
209 076-0059 RR) at Dr. Robert H. Brown School and shall be eligible to
210 subsequently be considered for a grant commitment from the state,
211 provided plans and specifications have been approved by the
212 Department of Education's school facilities unit.

213 Sec. 513. (*Effective from passage*) Notwithstanding the provisions of
214 section 10-283 of the 2008 supplement to the general statutes or any
215 regulation adopted by the State Board of Education requiring a
216 completed grant application be submitted prior to acceptance of the
217 application by the Department of Education, the town of Lebanon may
218 remain eligible for state grant assistance for a project for the purchase
219 of vocational-agriculture equipment (Project Number 072-0052 VE) at
220 Lyman Memorial High School provided documentation of the
221 required local legislative authorizations and local funding
222 authorization is submitted to the Department of Education's school
223 facilities unit on or before June 30, 2008.

224 Sec. 514. Subsection (b) of section 10-287 of the 2008 supplement to
225 the general statutes is repealed and the following is substituted in lieu
226 thereof (*Effective July 1, 2008*):

227 (b) (1) All orders and contracts for school building construction
228 receiving state assistance under this chapter, [including orders and
229 contracts for architectural or construction management services] except
230 as provided in subdivision (2) of this subsection, shall be awarded to
231 the lowest responsible qualified bidder only after a public invitation to
232 bid, which shall be advertised in a newspaper having circulation in the
233 town in which construction is to take place, except for [(1)] (A) school
234 building projects for which the town or regional school district is using
235 a state contract pursuant to subsection (d) of section 10-292, and [(2)]
236 (B) change orders, those contracts or orders costing less than ten
237 thousand dollars and those of an emergency nature, as determined by
238 the Commissioner of Education, in which cases the contractor or
239 vendor may be selected by negotiation, provided no local fiscal
240 regulations, ordinances or charter provisions conflict.

241 (2) All orders and contracts for architectural or construction
242 management services shall be awarded from a pool of not more than
243 the four most responsible qualified proposers after a public selection
244 process. Such process shall, at a minimum, involve requests for
245 qualifications, followed by requests for proposals, including fees, from
246 the proposers meeting the qualifications criteria of the request for
247 qualifications process. Public advertisements shall be required in a
248 newspaper having circulation in the town in which construction is to
249 take place, except for school building projects for which the town or
250 regional school district is using a state contract pursuant to subsection
251 (d) of section 10-292. Following the qualification process, the awarding
252 authority shall evaluate the proposals to determine the four most
253 responsible qualified proposers using those criteria previously listed in
254 the requests for qualifications and requests for proposals for selecting
255 architectural or construction management services specific to the
256 project or school district. Such evaluation criteria shall include due
257 consideration of the proposer's pricing for the project, experience with
258 work of similar size and scope as required for the order or contract,
259 organizational and team structure for the order or contract, past
260 performance data, including, but not limited to, adherence to project

261 schedules and project budgets and the number of change orders for
262 projects, the approach to the work required for the contract and
263 documented contract oversight capabilities, and may include criteria
264 specific to the project. Final selection by the awarding authority is
265 limited to the pool of the four most responsible qualified proposers
266 and shall include consideration of all criteria included within the
267 request for proposals. As used in this subdivision, "most responsible
268 qualified proposer" means the proposer who is qualified by the
269 awarding authority when considering price and the factors necessary
270 for faithful performance of the work based on the criteria and scope of
271 work included in the request for proposals.

272 Sec. 515. (*Effective from passage*) Notwithstanding the provisions of
273 subdivision (1) of subsection (a) of section 10-286 of the general
274 statutes or any regulation adopted by the State Board of Education
275 concerning projected enrollment for a school building project for
276 purposes of calculating eligible costs for a school building project
277 grant, the town of Portland may use one thousand seventy as its
278 projected enrollment figures for the expansion and alteration project
279 (Project Number 113-0037 EA) at Portland Middle/High School.

280 Sec. 516. (*Effective from passage*) Notwithstanding any provision of
281 chapter 173 of the general statutes or any regulation adopted under
282 said chapter 173, the town of Middletown may use any private, federal
283 or state grants, other than grants received pursuant to said chapter, to
284 finance projects (Project Numbers 083-0109N and 083-0110 VA) and
285 such funds shall be considered to be part or all of the town's local share
286 for such project.

287 Sec. 517. (*Effective from passage*) Notwithstanding the provisions of
288 section 10-284 of the general statutes or any regulations adopted by the
289 State Board of Education requiring that a town or regional school
290 district begin construction on a project not later than two years after
291 the effective date of the act of the General Assembly authorizing the
292 Commissioner of Education to enter into grant commitments for such
293 project, the town of Bridgeport shall have until June 30, 2010, to begin

294 construction on a new interdistrict magnet school (Project Number
295 015-1059 MAG/NEW) at the Multi-Magnet High School.

296 Sec. 518. (*Effective from passage*) Notwithstanding the provisions of
297 section 10-292 of the general statutes or any regulation adopted by the
298 State Board of Education requiring that a bid not be let out until plans
299 and specifications have been approved by the Department of
300 Education's school facilities unit, the board of education for Region 19
301 may let out for bid on and commence a project for vocational
302 agriculture equipment and building modifications (Project Numbers
303 219-0013 VE, 219-0015 VA/VE and 219-0016 VE) at Edwin O. Smith
304 High School and shall be eligible to subsequently be considered for a
305 grant commitment from the state, provided plans and specifications
306 have been approved by the Department of Education's school facilities
307 unit.

308 Sec. 519. (*Effective from passage*) Notwithstanding the provisions of
309 chapter 173 of the general statutes or any regulation adopted by the
310 State Board of Education pursuant to said chapter 173, the town of
311 New Haven may apply a portion of the proceeds received from the
312 state for the sale of Woodward School in an amount not to exceed
313 three million dollars as all or part of its local share to various school
314 construction projects in New Haven.

315 Sec. 520. Subsection (a) of section 10-47b of the general statutes is
316 repealed and the following is substituted in lieu thereof (*Effective July*
317 *1, 2008*):

318 (a) Except as provided in subsection (b) of this section, any regional
319 school district which does not include all elementary and secondary
320 grades may add or withdraw grades in accordance with the provisions
321 of subdivision (1) or, if applicable, subdivision (2) of this subsection.

322 (1) Any regional board of education in a school district which does
323 not include all elementary and secondary school grades may
324 recommend a study of the advisability of the addition to or
325 withdrawal of grades from the regional school district or, upon the

326 request of two or more of the town boards of education of the member
327 towns, shall recommend such a study to the chairmen of the town
328 boards of education and chairmen of the boards of finance or other
329 such fiscal authorities in each town affected. Within thirty days of
330 receipt of such recommendation, such chairmen shall each appoint one
331 of the members of their boards and the chairman of the regional board
332 of education shall appoint one member of the regional board from each
333 member town to a study committee. The Commissioner of Education
334 shall appoint a consultant to the study committee. The study
335 committee shall proceed in the same manner as the temporary regional
336 school study committee except that the expenses of the committee shall
337 be borne by the regional school district and shall not exceed three
338 dollars times the number of pupils in average daily membership of
339 such town and regional school districts as defined in section 10-261
340 and the committee shall submit its report to the participating towns no
341 later than one year from the date of its organizational meeting. If the
342 committee recommends a plan for addition to or withdrawal of grades
343 from the regional school district and the referenda held in the manner
344 provided in section 10-45, as amended by this act, result in an
345 affirmative vote in the regional school district as a whole, the
346 participating towns shall implement the plan.

347 (2) Any regional board of education in a school district which does
348 not include all elementary and secondary school grades and has a total
349 of three member towns, each with a population between three
350 thousand and seven thousand five hundred persons pursuant to
351 subdivision (27) of section 10-262f of the 2008 supplement to the
352 general statutes, and a combined population for such towns of at least
353 ten thousand persons, but fewer than twenty thousand persons may
354 recommend and develop a plan for the addition to or withdrawal of
355 grades from the regional school district or, upon the request of two or
356 more of the town boards of education of the member towns, may make
357 such recommendation and develop such a plan. If the regional board
358 of education recommends a plan for addition to or withdrawal of
359 grades from the regional school district, referenda shall be held in the

360 manner provided in section 10-45, as amended by this act. If such
361 referenda results in an affirmative vote in the regional school district as
362 a whole, the participating towns shall implement the plan.

363 Sec. 521. Subsection (a) of section 10-45 of the general statutes is
364 repealed and the following is substituted in lieu thereof (*Effective July*
365 *1, 2008*):

366 (a) Upon receipt of a copy of the certificate of approval, the
367 committee shall set the day on which referenda shall be held
368 simultaneously in each of the participating towns to determine
369 whether a regional school district shall be established as
370 recommended. Such referenda shall be held between forty-five and
371 ninety days from the date of such approval. In the case of a
372 recommendation from a study committee or a regional board of
373 education to add or withdraw grades from the regional school district
374 pursuant to the provisions of subsection (a) of section 10-47b, as
375 amended by this act, such referenda shall be held between forty-five
376 and ninety days from the date of such recommendation. The
377 committee or regional board of education shall immediately notify the
378 town clerk in each participating town of its decision. Upon receipt of
379 such notice, the town clerk shall file the notice required by section 9-
380 369a. The warning of such referenda shall be published, the vote taken
381 and the results thereof canvassed and declared in the same manner as
382 is provided for the election of officers of a town. The town clerk of each
383 participating town shall certify the results of the referendum to the
384 State Board of Education.

385 (b) The vote on the question shall be taken by a "yes" and "no" vote
386 on the voting machine and the designation of the question on the
387 voting machine ballot label shall be "Shall a regional school district be
388 established in accordance with the plan approved by the State Board of
389 Education on (date)?" and the label used shall conform with the
390 provisions of section 9-250 of the 2008 supplement to the general
391 statutes. If the majority of the votes in each of the participating towns
392 is affirmative, a regional school district composed of such towns is

393 established and shall be numbered in accordance with the order of the
394 incorporation of the districts.

395 (c) If the majority vote of one or more of such towns is negative, the
396 committee or, in the case of a study committee's or a regional board of
397 education's recommendation to add or withdraw grades from the
398 regional school district pursuant to the provisions of subsection (a) of
399 section 10-47b, as amended by this act, the regional board of education
400 shall determine the advisability of immediately submitting the
401 question to referendum a second time. If the committee or regional
402 board of education so recommends, [it] the committee or board shall
403 notify the town clerk in each participating town of its decision. Within
404 thirty days after receipt of such notice, the legislative body of the town
405 shall meet to act upon the committee or board recommendation. If the
406 legislative body in each of the participating towns accepts the
407 recommendation, a second referendum shall be held in each
408 participating town in accordance with the provisions of this section. If
409 the majority of votes cast in each town is affirmative, the regional
410 school district is established and numbered accordingly or grades are
411 added to or withdrawn from the regional school district, as applicable.

412 Sec. 522. (*Effective from passage*) (a) Notwithstanding the provisions
413 of subsection (a) of section 10-264h of 2008 supplement to the general
414 statutes, as amended by this act, or any regulation adopted pursuant to
415 subsection (a) of said section 10-264h, concerning the reimbursement
416 rate for the capital expenditure for the construction of interdistrict
417 magnet school facilities, the Board of Trustees of the Community-
418 Technical Colleges on behalf of Quinebaug Valley Community College
419 shall be eligible for reimbursement of the full reasonable cost of the
420 project for new construction at Quinebaug Valley Middle College High
421 School on the campus of Quinebaug Valley Community College.

422 (b) Notwithstanding the provisions of section 10-283 of the 2008
423 supplement to the general statutes, or any regulation adopted
424 pursuant to said section 10-283, requiring that no school building
425 project shall be added to the list in subdivision (1) of section 1 of this

426 act, the project for new construction at Quinebaug Valley Middle
427 College High School on the campus of Quinebaug Valley Community
428 College is included in said subdivision (1) of this act and shall be
429 eligible to be subsequently considered for a grant commitment from
430 the state, provided the Board of Trustees of the Community-Technical
431 Colleges on behalf of Quinebaug Valley Community College files an
432 application for a school building project prior to June 30, 2009, and
433 meets all other provisions of chapter 173 of the general statutes or any
434 regulation adopted by the State Board of Education.

435 Sec. 523. Subsections (a) to (c), inclusive, of section 10-283 of the
436 2008 supplement to the general statutes are repealed and the following
437 is substituted in lieu thereof (*Effective July 1, 2008*):

438 (a) (1) Each town or regional school district shall be eligible to apply
439 for and accept grants for a school building project as provided in this
440 chapter. Any town desiring a grant for a public school building project
441 may, by vote of its legislative body, authorize the board of education of
442 such town to apply to the Commissioner of Education and to accept or
443 reject such grant for the town. Any regional school board may vote to
444 authorize the supervising agent of the regional school district to apply
445 to the Commissioner of Education for and to accept or reject such grant
446 for the district. Applications for such grants under this chapter shall be
447 made by the superintendent of schools of such town or regional school
448 district on the form provided and in the manner prescribed by the
449 Commissioner of Education. The application form shall require the
450 superintendent of schools to affirm that the school district considered
451 the maximization of natural light and the use and feasibility of wireless
452 connectivity technology in projects for new construction and alteration
453 or renovation of a school building. Grant applications for school
454 building projects shall be reviewed by the Commissioner of Education
455 on the basis of categories for building projects and standards for school
456 construction established by the State Board of Education in accordance
457 with this section, provided grant applications submitted for purposes
458 of subsection (a) of section 10-65 of the 2008 supplement to the general
459 statutes or section 10-76e shall be reviewed annually by the

460 commissioner on the basis of the educational needs of the applicant.
461 Notwithstanding the provisions of this chapter, the Board of Trustees
462 of the Community-Technical Colleges on behalf of [Manchester]
463 Quinebaug Valley Community College and the following entities that
464 will operate an interdistrict magnet school that will assist the state in
465 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
466 v. William A. O'Neill, et al., as determined by the commissioner, may
467 apply for and shall be eligible to receive grants for school building
468 projects pursuant to section 10-264h of the 2008 supplement to the
469 general statutes, as amended by this act, for such a school: (A) The
470 Board of Trustees of the Community-Technical Colleges on behalf of a
471 regional community-technical college, (B) the Board of Trustees of the
472 Connecticut State University System on behalf of a state university,
473 (C) the Board of Trustees for The University of Connecticut on behalf
474 of the university, (D) the board of governors for an independent
475 college or university, as defined in section 10a-37, or the equivalent of
476 such a board, on behalf of the independent college or university, (D)
477 cooperative arrangements pursuant to section 10-158a, and (E) any
478 other third-party not-for-profit corporation approved by the
479 commissioner.

480 (2) Each school building project shall be assigned to a category on
481 the basis of whether such project is primarily required to: (A) Create
482 new facilities or alter existing facilities to provide for mandatory
483 instructional programs pursuant to this chapter, for physical education
484 facilities in compliance with Title IX of the Elementary and Secondary
485 Education Act of 1972 where such programs or such compliance
486 cannot be provided within existing facilities or for the correction of
487 code violations which cannot be reasonably addressed within existing
488 program space; (B) create new facilities or alter existing facilities to
489 enhance mandatory instructional programs pursuant to this chapter or
490 provide comparable facilities among schools to all students at the same
491 grade level or levels within the school district unless such project is
492 otherwise explicitly included in another category pursuant to this
493 section; and (C) create new facilities or alter existing facilities to

494 provide supportive services, provided in no event shall such
495 supportive services include swimming pools, auditoriums, outdoor
496 athletic facilities, tennis courts, elementary school playgrounds, site
497 improvement or garages or storage, parking or general recreation
498 areas. All applications submitted prior to [the first day of July in any
499 year] July first shall be reviewed promptly by the commissioner and
500 the amount of the grant for which such project is eligible shall be
501 estimated, provided an application for a school building project
502 determined by the commissioner to be a project that will assist the
503 state in meeting the goals of the 2008 stipulation and order for Milo
504 Sheff, et al. v. William A. O'Neill, et al., shall have until September first
505 to submit an application for such a project and may have until
506 December first of the same year to secure and report all local and state
507 approvals required to complete the grant application. The
508 commissioner shall annually prepare a listing of all such eligible school
509 building projects listed by category together with the amount of the
510 estimated grants therefor and shall submit the same to the Governor
511 and the General Assembly on or before the fifteenth day of December,
512 except as provided in section 10-283a, with a request for authorization
513 to enter into grant commitments. Each such listing submitted after
514 December 1995 shall include a separate schedule of authorized projects
515 which have changed in scope or cost to a degree determined by the
516 commissioner. Notwithstanding any provision of this chapter, no such
517 project that has changed in scope or cost to the degree determined by
518 the commissioner, shall be eligible for reimbursement under this
519 chapter unless it appears on such list. Each such listing submitted after
520 December 2005 shall include a separate schedule of authorized projects
521 which have changed in scope or cost to a degree determined by the
522 commissioner once, and a separate schedule of authorized projects
523 which have changed in scope or cost to a degree determined by the
524 commissioner twice. On and after July 1, 2006, no project, other than a
525 project for a regional vocational-technical school, may appear on the
526 separate schedule of authorized projects which have changed in cost
527 more than twice. The percentage determined pursuant to section 10-
528 285a of the 2008 supplement to the general statutes at the time a school

529 building project on such schedule was originally authorized shall be
530 used for purposes of the grant for such project. On and after July 1,
531 2006, a project that was not previously authorized as an interdistrict
532 magnet school shall not receive a higher percentage for reimbursement
533 than that determined pursuant to section 10-285a of the 2008
534 supplement to the general statutes at the time a school building project
535 on such schedule was originally authorized. The General Assembly
536 shall annually authorize the commissioner to enter into grant
537 commitments on behalf of the state in accordance with the
538 commissioner's categorized listing for such projects as the General
539 Assembly shall determine. The commissioner may not enter into any
540 such grant commitments except pursuant to such legislative
541 authorization. Any regional school district which assumes the
542 responsibility for completion of a public school building project shall
543 be eligible for a grant pursuant to subdivision (5) or (6), as the case
544 may be, of subsection (a) of section 10-286, when such project is
545 completed and accepted by such regional school district.

546 (3) (A) All final calculations completed by the Department of
547 Education for school building projects authorized on or after July 1,
548 1996, shall include a computation of the state grant for the school
549 building project amortized on a straight line basis over a twenty-year
550 period for school building projects with costs equal to or greater than
551 two million dollars and over a ten-year period for school building
552 projects with costs less than two million dollars. Any town or regional
553 school district which abandons, sells, leases, demolishes or otherwise
554 redirects the use of such a school building project to other than a
555 public school use during such amortization period shall refund to the
556 state the unamortized balance of the state grant remaining as of the
557 date the abandonment, sale, lease, demolition or redirection occurs.
558 The amortization period for a project shall begin on the date the project
559 was accepted as complete by the local or regional board of education.
560 A town or regional school district required to make a refund to the
561 state pursuant to this subdivision may request forgiveness of such
562 refund if the building is redirected for public use. The department

563 shall include as an addendum to the annual school construction
564 priority list all those towns requesting forgiveness. General Assembly
565 approval of the priority list containing such request shall constitute
566 approval of such request. This subdivision shall not apply to projects
567 to correct safety, health and other code violations or to remedy
568 certified school indoor air quality emergencies approved pursuant to
569 subsection (b) of this section or projects subject to the provisions of
570 section 10-285c.

571 (B) Any moneys refunded to the state pursuant to subparagraph (A)
572 of this subdivision shall be deposited in the state's tax-exempt
573 proceeds fund and used not later than sixty days after repayment to
574 pay debt service on, including redemption, defeasance or purchase of,
575 outstanding bonds of the state the interest on which is not included in
576 gross income pursuant to Section 103 of the Internal Revenue Code of
577 1986, or any subsequent corresponding internal revenue code of the
578 United States, as from time to time amended.

579 (b) Notwithstanding the application date requirements of this
580 section, the Commissioner of Education may approve applications for
581 grants to assist school building projects to remedy damage from fire
582 and catastrophe, to correct safety, health and other code violations, to
583 replace roofs, to remedy a certified school indoor air quality
584 emergency, or to purchase and install portable classroom buildings at
585 any time within the limit of available grant authorization and make
586 payments thereon within the limit of appropriated funds, provided
587 portable classroom building projects shall not create a new facility or
588 cause an existing facility to be modified so that the portable buildings
589 comprise a substantial percentage of the total facility area, as
590 determined by the commissioner.

591 (c) No school building project shall be added to the list prepared by
592 the Commissioner of Education pursuant to subsection (a) of this
593 section after such list is submitted to the committee of the General
594 Assembly appointed pursuant to section 10-283a unless (1) the project
595 is for a school placed on probation by the New England Association of

596 Schools and Colleges and the project is necessary to preserve
597 accreditation, (2) the project is necessary to replace a school building
598 for which a state agency issued a written notice of its intent to take the
599 school property for public purpose, [or] (3) for the fiscal year ending
600 June 30, 2002, the project is in a town operating under state
601 governance, or (4) it is a school building project determined by the
602 commissioner to be a project that will assist the state in meeting the
603 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William
604 A. O'Neill, et al. The provisions of this subsection shall not apply to
605 projects previously authorized by the General Assembly that require
606 special legislation to correct procedural deficiencies.

607 Sec. 524. Subdivision (1) of subsection (a) of section 10-264h of the
608 2008 supplement to the general statutes is repealed and the following
609 is substituted in lieu thereof (*Effective July 1, 2008*):

610 (a) (1) For the fiscal year ending June 30, 1996, until the fiscal year
611 ending June 30, 2003, a local or regional board of education, regional
612 educational service center or a cooperative arrangement pursuant to
613 section 10-158a for purposes of an interdistrict magnet school may be
614 eligible for reimbursement up to the full reasonable cost of any capital
615 expenditure for the purchase, construction, extension, replacement,
616 leasing or major alteration of interdistrict magnet school facilities,
617 including any expenditure for the purchase of equipment, in
618 accordance with this section. (A) For the fiscal year ending June 30,
619 2004, and each fiscal year thereafter, such entities, and (B) for the fiscal
620 year ending June 30, 2008, and each fiscal year thereafter, the following
621 entities that operate an interdistrict magnet school that assists the state
622 in meeting the goals of the 2008 stipulation and order for Milo Sheff, et
623 al. v. William A. O'Neill, et al., as determined by the commissioner: (i)
624 The Board of Trustees of the Community-Technical Colleges on behalf
625 of a regional community-technical college, (ii) the Board of Trustees of
626 the Connecticut State University System on behalf of a state university,
627 (iii) the Board of Trustees for The University of Connecticut on behalf
628 of the university, (iv) the board of governors for an independent
629 college or university, as defined in section 10a-37, or the equivalent of

630 such a board, on behalf of the independent college or university, and
631 (v) any other third-party not-for-profit corporation approved by the
632 commissioner may be eligible for reimbursement up to ninety-five per
633 cent of such cost. To be eligible for reimbursement under this section a
634 magnet school construction project shall meet the requirements for a
635 school building project established in chapter 173, except that the
636 Commissioner of Education may waive any requirement in such
637 chapter for good cause. On and after July 1, 1997, the commissioner
638 shall approve only applications for reimbursement under this section
639 that he finds will reduce racial, ethnic and economic isolation.

640 Sec. 525. (*Effective from passage*) Notwithstanding the provisions of
641 section 10-283 of the 2008 supplement to the general statutes, or any
642 regulation adopted by the State Board of Education pursuant to said
643 section 10-283, a project for the construction of the Goodwin College-
644 Connecticut River Academy for Earth and Space Science Magnet
645 School in East Hartford shall be included in subdivision (1) of section 1
646 of this act, with total project costs not to exceed eighty million dollars
647 and shall subsequently be considered for a grant commitment from the
648 state, provided Goodwin College files an application for a school
649 building project prior to September 1, 2008, meets all other provisions
650 of chapter 173 of the general statutes or any regulation adopted by the
651 State Board of Education pursuant to said chapter 173 and is eligible
652 for grant assistance pursuant to said chapter 173.

653 Sec. 526. (*Effective July 1, 2008*) (a) For the purposes described in
654 subsection (b) of this section, the State Bond Commission shall have
655 the power, from time to time, to authorize the issuance of bonds of the
656 state in one or more series and in principal amounts not exceeding in
657 the aggregate three million dollars.

658 (b) The proceeds of the sale of said bonds, to the extent of the
659 amount stated in subsection (a) of this section, shall be used by the
660 Department of Education for grants-in-aid for the purpose of capital
661 start-up costs related to the development of new interdistrict magnet
662 school programs to assist the state in meeting the goals of the 2008

663 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
664 for the purpose of buying portable classrooms, leasing space, and
665 purchasing equipment, including, but not limited to, computers and
666 classroom furniture.

667 (c) All provisions of section 3-20 of the general statutes, or the
668 exercise of any right or power granted thereby, which are not
669 inconsistent with the provisions of this section are hereby adopted and
670 shall apply to all bonds authorized by the State Bond Commission
671 pursuant to this section, and temporary notes in anticipation of the
672 money to be derived from the sale of any such bonds so authorized
673 may be issued in accordance with said section 3-20 and from time to
674 time renewed. Such bonds shall mature at such time or times not
675 exceeding twenty years from their respective dates as may be provided
676 in or pursuant to the resolution or resolutions of the State Bond
677 Commission authorizing such bonds. None of said bonds shall be
678 authorized except upon a finding by the State Bond Commission that
679 there has been filed with it a request for such authorization which is
680 signed by or on behalf of the Secretary of the Office of Policy and
681 Management and states such terms and conditions as said commission,
682 in its discretion, may require. Said bonds issued pursuant to this
683 section shall be general obligations of the state and the full faith and
684 credit of the state of Connecticut are pledged for the payment of the
685 principal of and interest on said bonds as the same become due, and
686 accordingly and as part of the contract of the state with the holders of
687 said bonds, appropriation of all amounts necessary for punctual
688 payment of such principal and interest is hereby made, and the State
689 Treasurer shall pay such principal and interest as the same become
690 due.

691 Sec. 527. Section 10-287d of the 2008 supplement to the general
692 statutes is repealed and the following is substituted in lieu thereof
693 (*Effective July 1, 2008*):

694 For the purposes of funding (1) grants to projects that have received
695 approval of the State Board of Education pursuant to sections 10-287 of

696 the 2008 supplement to the general statutes and 10-287a, subsection (a)
697 of section 10-65 of the 2008 supplement to the general statutes and
698 section 10-76e, (2) grants to assist school building projects to remedy
699 safety and health violations and damage from fire and catastrophe,
700 and (3) regional vocational-technical school projects pursuant to
701 section 10-283b of the 2008 supplement to the general statutes, the
702 State Treasurer is authorized and directed, subject to and in
703 accordance with the provisions of section 3-20, to issue bonds of the
704 state from time to time in one or more series in an aggregate amount
705 not exceeding six billion seven hundred [eleven] thirty-one million
706 eight hundred sixty thousand dollars, provided six hundred [three]
707 twenty-three million dollars of said authorization shall be effective
708 July 1, 2008. Bonds of each series shall bear such date or dates and
709 mature at such time or times not exceeding thirty years from their
710 respective dates and be subject to such redemption privileges, with or
711 without premium, as may be fixed by the State Bond Commission.
712 They shall be sold at not less than par and accrued interest and the full
713 faith and credit of the state is pledged for the payment of the interest
714 thereon and the principal thereof as the same shall become due, and
715 accordingly and as part of the contract of the state with the holders of
716 said bonds, appropriation of all amounts necessary for punctual
717 payment of such principal and interest is hereby made, and the State
718 Treasurer shall pay such principal and interest as the same become
719 due. The State Treasurer is authorized to invest temporarily in direct
720 obligations of the United States, United States agency obligations,
721 certificates of deposit, commercial paper or bank acceptances such
722 portion of the proceeds of such bonds or of any notes issued in
723 anticipation thereof as may be deemed available for such purpose.

724 Sec. 528. (*Effective from passage*) (a) The Commissioners of Education,
725 Higher Education and Developmental Services and the President of
726 Southern Connecticut State University, or their designees, jointly and
727 in consultation with such state, local and other entities as they deem
728 appropriate, including, but not limited to, the constituent units of the
729 state system of higher education, as defined in 10a-1 of the general

730 statutes, independent colleges or universities, as defined in section 10a-
731 37 of the general statutes, the State Education Resource Center,
732 established under section 10-4q of the general statutes, and the
733 regional educational service centers established under section 10-66a of
734 the general statutes, shall define autism and developmental disabilities
735 for purposes of this section, and develop recommendations for a
736 comprehensive state-wide plan to incorporate methods of teaching
737 children with autism and other developmental disabilities into:

738 (1) Programs for teacher preparation pursuant to section 10-145a of
739 the general statutes;

740 (2) Requirements for candidates seeking an initial educator or
741 provisional educator certificate pursuant to section 10-145b of the
742 general statutes;

743 (3) In-service training pursuant to section 10-220a of the general
744 statutes; and

745 (4) Training provided to school paraprofessionals pursuant to
746 section 10-155j of the 2008 supplement to the general statutes, related
747 service professionals, early childhood certificate holders,
748 administrators and parents.

749 (b) In developing recommendations pursuant to this section, the
750 commissioner and chancellor, or their designees, shall, at a minimum,
751 address the following issues related to the incorporation of methods of
752 teaching children with autism and other developmental disabilities
753 into the programs, requirements and training described in subsection
754 (a) of this section:

755 (1) Competencies for individuals described in subdivisions (2) and
756 (4) of subsection (a) of this section;

757 (2) Existing capacity to incorporate methods of teaching children
758 with autism and other developmental disabilities into the programs,
759 requirements and training described in subsection (a) of this section

760 and the extent to which new capacity is needed at the elementary and
761 secondary school levels and in institutions of higher education;

762 (3) The extent to which methods of teaching children with autism
763 and other developmental disabilities need to be implemented in school
764 readiness programs and grades kindergarten to twelve, inclusive;

765 (4) The availability of persons with expertise concerning the
766 methods of teaching children with autism and other developmental
767 disabilities;

768 (5) Collaborative partners who should be involved in the process of
769 the development of training concerning the methods of teaching
770 children with autism and other developmental disabilities;

771 (6) Best practices in pedagogy concerning the teaching of children
772 with autism and other developmental disabilities, including research-
773 based strategies that at a minimum address:

774 (A) Characteristics of students with autism and other
775 developmental disabilities;

776 (B) Curriculum planning, curricular and instructional modifications,
777 adaptations, and specialized strategies and techniques;

778 (C) Assistive technology; and

779 (D) Inclusive educational practices, including, but not limited to,
780 collaborative partnerships;

781 (7) The incorporation of methods of teaching children with autism
782 and other developmental disabilities into the programs, requirements
783 and training described in subsection (a) of this section that are in
784 compliance with requirements under the Individuals with Disabilities
785 Education Act, 20 USC 1400 et seq., as amended from time to time;

786 (8) A budget and timeline for implementation of the plan developed
787 pursuant to this section; and

788 (9) Steps to assess the impact of the implementation of the plan
789 developed pursuant to this section on school readiness programs,
790 elementary and secondary schools and institutions of higher
791 education.

792 (c) Not later than February 1, 2009, the Commissioner of Education
793 and Chancellor of the Connecticut State University System, or their
794 designees, shall, in accordance with the provisions of section 11-4a of
795 the general statutes, report recommendations developed pursuant to
796 this section to the joint standing committees of the General Assembly
797 having cognizance of matters relating to education, public health and
798 higher education.

799 Sec. 529. (*Effective from passage*) (a) Notwithstanding any provision
800 of section 10-283 of the general statutes or any regulation adopted by
801 the State Board of Education requiring that the scope of a school
802 building project be set at the time of application for a school building
803 project grant, the town of Watertown may expand the scope of the roof
804 replacement projects (Project Numbers 153-0045 RR, 153-0046 RR and
805 153-0047 RR) to include ceiling and fire prevention work.

806 (b) Notwithstanding the provisions of sections 10-291 of the 2008
807 supplement to the general statutes and 10-292 of the general statutes or
808 any regulation adopted by the State Board of Education requiring that
809 a bid not be let out until plans and specifications have been approved
810 by the Department of Education's school facilities unit, the town of
811 Watertown may let out for bid on and commence a project for projects
812 described in subsection (a) of this section and shall be eligible to
813 subsequently be considered for a grant commitment from the state,
814 provided plans and specifications have been approved by the
815 Department of Education's school facilities unit.

816 Sec. 530. (*Effective from passage*) Notwithstanding the provisions of
817 section 10-287, or any regulation adopted by the State Board of
818 Education pursuant to said section requiring a competitive bidding
819 process for orders and contracts for school building construction

820 receiving state assistance under chapter 173 of the general statutes, the
821 town of New Canaan shall not be required to conduct such process for
822 orders and contracts for the portion of the project for renovation and
823 extension for New Canaan High School (Project Number 090-0044
824 RNV/E) concerning remediation of latent asbestos or other hazard as
825 defined by code."